

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **Dr Robert Schweyen DDS v Jamal Hamed**

Docket No. **297153**

L.C. No. **06-601954-CE**

David H. Sawyer, Chief Judge Pro Tem, acting under MCR 7.203(F)(1), orders:

The claim of appeal is DISMISSED for lack of jurisdiction because the March 5, 2010, order is not a final order and the claim of appeal was not timely filed with respect to the final judgment in the garnishment proceedings. MCR 3.101(P), MCR 7.203(A)(2), and MCR 7.204(A). Under MCR 7.204(A)(1)(b) the claim of appeal was due within 21 days after entry of the September 16, 2009, order that denied garnishee defendant-appellant's timely motion to set aside the August 7, 2009, judgment in the garnishment proceedings. At this time, appellant may seek to appeal the August 7, 2009, judgment only by filing a delayed application for leave to appeal under MCR 7.205(F).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

**APR 30 2010**

Date

*Sandra Schultz Mengel*  
Chief Clerk